

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/I-TCV/26**

<b><u>Applicant</u></b>	: Sustainable Lantau Office, Civil Engineering and Development Department (CEDD), HKSAR Government represented by Ove Arup & Partners Hong Kong Limited
<b><u>Site</u></b>	: Lots 2416 (Part), 2417 (Part), 2418 (Part), 2419 (Part) and 2421 (Part) in D.D. 1 TC and Adjoining Government Land (GL), Tung Chung, Lantau Island
<b><u>Site Area</u></b>	: About 693m <sup>2</sup> (including about 9.5m <sup>2</sup> (1.4%) of GL)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural use)
<b><u>Plan</u></b>	: Approved Tung Chung Valley Outline Zoning Plan (OZP) No. S/I-TCV/2
<b><u>Zonings</u></b>	: “Residential (Group C) 1” (“R(C)1”) [Restricted to a maximum plot ratio (PR) of 1.5 and a maximum building height (BH) of 45mPD]
<b><u>Application</u></b>	: Proposed Public Convenience and Government Refuse Collection Point

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed public toilet (PT) and government refuse collection point (RCP) at the application site (the Site) in Tung Chung Area 71A which falls within an area zoned “R(C)1” on the approved Tung Chung Valley OZP No. S/I-TCV/2 (**Plan A-1**). According to the Notes of the OZP, ‘Public Convenience’ and ‘Government RCP’ are Column 2 uses of the “R(C)1” zone, which require planning permission from the Town Planning Board (the Board). The Site is currently vacant and covered by vegetation (**Plan A-3**).
- 1.2 The applicant proposed to use the Site for reprovisioning of the existing Shek Mun Kap (SMK) PT and RCP situated about 40m away to the southeast of the Site (**Plan A-2**) which is affected by the planned Road L28 linking up the villages of Tung Chung with Tung Chung Road. The proposed development has a single-storey building with a height of 4.2m above ground (33.625mPD at main roof), a gross floor area (GFA) of about 280m<sup>2</sup>, a site coverage (SC) of about 40.5% and

a plot ratio (PR) of about 0.4 (**Drawings A-1 to A-3**) with a hard-paved area for loading/unloading (L/UL) and manoeuvring space of refuse collection vehicles. The building comprises a PT with male and female toilets, attendant rooms, accessible unisex toilet and water meter cabinet, as well as a RCP accommodating a refuse collection room, storage for work gears, staff room, junk point, store room for garbage bins and recycle bin are proposed at the Site (**Drawings A-2 and A-3**). To avoid interruptions to the current service provision, the existing SMK PT and RCP will only be demolished after the reprovisioning facilities commence in operation. The proposed development is target for completion by Q1 2029.

- 1.3 The indicative floor plans, elevations, landscape master plan and photomontage submitted by the applicant are at **Drawings A-1 to A-5**.
- 1.4 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 29.12.2023 (**Appendix I**)
  - (b) Supporting planning statement received on 29.12.2023 (**Appendix Ia**)  
with replacement pages received on 5.1.2024
  - (c) Further Information (FI) received on 26.1.2024\* (**Appendix Ib**)
  - (d) FI received on 5.2.2024\* (**Appendix Ic**)

\* accepted and exempted from publication and recounting requirement

## **2. Background**

- 2.1 The Planning and Engineering Study on the Remaining Development in Tung Chung – Feasibility Study (the P&E Study) jointly commissioned by the Planning Department (PlanD) and CEDD was completed in 2015, and formulated a development proposal for Tung Chung New Town Extension (TCNTE) covering a total area of over 200 hectares on the eastern and western flanks (i.e. Tung Chung East and Tung Chung West) of the existing Tung Chung New Town. The planning intention of the area has been translated into the approved OZPs of Tung Chung Town Centre (TCTC) Area, Tung Chung Extension (TCE) Area and Tung Chung Valley (TCV) OZPs.
- 2.2 Among the total planning scheme area of 168.27 hectares (ha) under the TCV OZP, a total 19.31ha of land are zoned as “R(C)” intended primarily for low-rise, low-density residential developments including Area 71A, where the Site situates. The planned Road L28 is also shown on the OZP which will enhance connectivity between existing and planned residential sites (i.e. Areas 71A, 71B and Mok Ka at Area 75) and the existing road network (i.e. SMK Road and Tung Chung Road). As the existing SMK PT and RCP will be affected by the planned Road L28, they are proposed to be reprovisioned at the Site. Upon approval of the current application, the private lots within the Site will be resumed under relevant ordinances to facilitate the proposed PT and RCP.

### 3. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia and Ib** and summarised as follows:

- (a) the SMK PT and RCP are essential facilities to the local villagers and the general public. As they will inevitably be affected by the construction works of planned Road L28, reprovisioning of the affected facilities would be essential to maintain the service provision. The existing PT and RCP will only be demolished after the reprovisioned facilities at the Site commence their operation;
- (b) the reprovisioning of the affected PT and RCP induced by the construction works of planned Road L28 provided a good opportunity to upgrade existing amenities and hence improve the facilities serving the locals and the general public. The current SMK PT has a small building footprint and without provision of Accessible Unisex Toilet. It has a high utilisation rate but has not been refurbished for a long period of time, and was listed as one of FEHD's facelifting projects. The current SMK RCP is a village-type provision and comprises several on-street garbage and recycling bins. Its location of being located next to the turnaround for public buses is also undesirable for users and refuse loading activities. As such, it was identified for phasing out in accordance with the prevailing standards<sup>1</sup>. In this connection, the reprovisioning can meet public aspiration for better and updated facilities and hygiene conditions, which is in line with Government's initiatives to improve public conveniences and government RCPs;
- (c) a site selection exercise of the reprovisioning site was conducted by the applicant in 2021 taking into account relevant criteria which include (i) avoiding encroachment onto areas of high conservation value; (ii) accessible by road transport to facilitate refuse loading of RCP; (iii) connecting with footpath in close proximity to pedestrian for safe access by users on both sides of the planned Road L28; and (iv) in close proximity of the existing SMK PT and RCP. The Site (i.e. Option 2 in the site selection exercise at **Drawing A-6**) which fulfills all four criteria is the most suitable location for reprovisioning of the existing PT and RCP and was supported by the Tung Chung Rural Committee and the village representatives of SMK at the meeting on 11 August 2021;
- (d) the proposed PT and RCP is compatible with the rural setting and surrounding land uses given its small building mass and a BH of just 4.2m in absolute height/33.625mPD at main roof, which is lower than the permissible BH of the subject "R(C)1" (i.e. 45mPD) and that of the nearby 3-storey village houses (i.e. 8.23m) within the nearby "Village Type Development" zone. Adverse visual impact is not expected;

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<sup>1</sup> According to the latest Handbook on Standard Features for Refuse Collection Points, standard village-type RCPs each measuring from 9.4m x 6.4m (about 60m<sup>2</sup>) to 10.9m x 6.4m (about 70m<sup>2</sup>) depending on operational needs should be provided to serve one or more adjoining villages up to a maximum population of about 1,000 persons. They should be conveniently located so that collection by conventional refuse collection vehicles can be effected from either a lay-by or a designated parking space without causing undue obstruction to other road users.

- (e) the proposed PT and RCP is technically viable and will not generate adverse impact to the surrounding area. An L/UL space at the Site would be provided for the exclusive use of the RCP and no parking spaces for private cars will be provided. Trip generation induced by the development is expected to be limited. While approximately 10 nos. of existing trees will be affected, none of the affected trees are Registered Old and Valuable Trees (OVTs) or Trees of Particular Interest. Given that an estimation of 1,725 nos. of trees will be compensated at roadside planter, phase 2 of the proposed River Park and the woodland under formal Tree Preservation and Removal Proposal of the “TCNTE-Infrastructure Works at Tung Chung Valley” project with an aim of achieving 1:1 compensation planting purpose, adverse landscape impact is not anticipated;
- (f) as the design, planning, construction and operation of the proposed PT and RCP will comply with the prevailing environmental standards and guidelines, and that the amount of sewage induced by the proposal is minimal, adverse environmental impact from air, noise and sewerage aspects is not anticipated. Also, as the water demand could be sourced from committed fresh water main and saltwater main, and the amount of stormwater runoff from the proposed development is minimal, no adverse impact is anticipated from water supply and drainage point of view; and
- (g) since all affluent and run-off will be discharged properly to the public sewerage and drainage system beneath planned Road L28, the nearby “Conservation Area” (“CA”) will not be affected.

#### **4. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a ‘current land owner’ of the private lots within the Site but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) by publishing notices in local newspapers and sending notice to Tung Chung Rural Committee by registered post. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in TPB PG-No. 31B are not applicable.

#### **5. Previous Application**

There is no previous application at the Site.

#### **6. Similar Application**

There is no similar application within the same “R(C)1” zone on the OZP.

#### **7. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-4a & A-4b)**

7.1 The Site is:

- (a) currently vacant and covered by natural vegetation with trees and shrubs; and
- (b) currently not accessible by both pedestrian and vehicle.

7.2 The surrounding areas are predominately a rural area currently vacant and covered by natural vegetation with trees and shrubs. Road L28, the planned single-two-carriageway running in southeast-northwest direction and connecting to the existing road network at SMK Road, will be constructed to the west of the Site. The Site is located to the west of an area zoned “CA” on the OZP for conservation of mature woodland. The village cluster of SMK and Mok Ka are located to the southeast and northwest of the Site respectively.

**8. Planning Intentions**

The planning intention of the “R(C)” zone is primarily for low-rise and low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

**9. Comments from Relevant Government Bureaux/Departments**

9.1 The following government bureaux/departments have been consulted and their views on the application are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Islands, Lands Department:

- (a) the Site involves five private lots, namely a portion each of Lots 2416, 2417, 2418, 2419 and 2421 all in D.D. 1 Tung Chung, and the adjoining Government land. All the five private lots affected are Old Scheduled Agricultural Lots;
- (b) a portion of the application site (i.e. a portion each of Lots 2419 and 2421 both in D.D. 1 Tung Chung) is within the resumption limit of the road project named “PWP Item No. 7786CL TCNTE (Road Works at Road L22, Road L24, Road L25, Road L26 and Road L28)” and this portion will be resumed under the Roads (Works, Use and Compensation) Ordinance (Chapter 370). For the remaining portion of the application site, it will be resumed under the Lands Resumption Ordinance (Cap. 124); and
- (c) as at 11.1.2024, no residential development application in relation to the application site has been received by this office.

### Environmental Hygiene

#### 9.1.2 Comments of the Director of Food and Environmental Hygiene (DFEH):

She has no in-principle objection to the planning application on the basis that the project proponent (i.e. CEDD) would closely follow up with this office on the detailed design and implementation of the proposed development.

### Landscape

#### 9.1.3 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

While the proposal will affect approximately 10 trees which are proposed to be felled, it is noted that new tree planting and roadside planters will be provided at Road L28, proposed river park phase 2 and the woodland near the Site under TCNTE infrastructure works contracts, and around 1,725 nos. of trees shall be compensated with an aim of achieving 1:1 compensation planting purpose. She has no further comment from landscape planning perspective.

### Architectural Services

#### 9.1.4 Comments of the Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

He has no particular comment from architectural and visual impact point of view.

#### 9.2 The following government bureau/departments have no objection to or no comment on the application:

- (a) Secretary for Development;
- (b) Commissioner for Transport (C for T);
- (c) Director of Fire Services;
- (d) Director of Environmental Protection (DEP);
- (e) Director of Director of Electrical and Mechanical Services;
- (f) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (g) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (h) Director of Agriculture, Fisheries and Conservation Department (DAFC);
- (i) Director of Leisure and Cultural Services Department;
- (j) Chief Highway Engineer/New Territories East, Highways Department;  
and
- (k) District Officer (Islands), Home Affairs Department.

## **10. Public Comment Received During Statutory Publication Period**

On 9.1.2024, the application was published for public inspection. During the statutory public inspection period, one public comment was received from an individual (**Appendix III**) providing views on the landscape mitigation measures and suggesting installation of solar panels on roof and utilizing part of the Site as recreational facilities.

## **11. Planning Considerations and Assessments**

- 11.1 The applicant seeks planning permission for proposed public convenience and government RCP at the Site which falls within an area zoned “R(C)1” on the OZP. The proposed development is for the reprovisioning of the existing SMK PT and RCP located about 40m southeast of the Site (**Plan A-2**) to make way for the construction of the planned Road L28 connecting the existing and planned residential developments in the Tung Chung Valley area (i.e. Areas 71A, 71B and Mok Ka at Area 75). The planning intention of the “R(C)1” zone is primarily for low-rise and low-density residential developments. The proposed PT and government RCP are considered as essential government facilities to serve the needs of local residents/villagers and future residents of the planned developments, which is not in conflict with the planning intention of the “R(C)1” zone.
- 11.2 The Site is zoned “R(C)1” for residential development. From housing land supply perspective, whilst the proposed PT and RCP will permanently occupy a part of the “R(C)1” zone intended for low-rise and low density residential developments to be implemented through private initiative, the impact on housing supply is considered to be minimal taking into account the small affected area of about 693m<sup>2</sup>, which only takes up about 0.36% of the land zoned “R(C)” on the TCV OZP.
- 11.3 As compared with the existing sub-standard facilities, the relocation of the PT and RCP upon relocation at the Site can allow upgrading of the facilities up to the prevailing standards. The proposal is in line with Government’s initiatives to improve public conveniences and government RCPs to meet public aspiration for better facilities and hygiene conditions of PTs and RCPs. The existing PT and RCP will only be demolished after the reprovisioned facilities come in operation which could help ensuring uninterrupted services.
- 11.4 The applicant has conducted a site selection exercise to identify the most suitable reprovisioning site. A set of criteria were formulated to evaluate four options from various perspective, including the accessibility of the site via road transport, safety and convenience of the location for access by pedestrian, proximity of the site with the existing facilities and considerations for avoiding encroachment onto areas with high conservation value in terms of ecology and heritage preservation which confirmed the current reprovisioning location be technically viable. On top of that, local views from the Tung Chung Rural Committee and village representatives were also considered in the exercise. DFEH has no objection to the application while C for T also has no objection on the proposal and site selection.

- 11.5 The Site is located in an area predominately rural in character. The proposed one-storey building to be erected at the Site will have a PR of about 0.4, a GFA of about 280m<sup>2</sup>, a SC of about 40.5% and a BH of 4.2m above ground (33.625mPD at main roof), which are well below the permitted maximum PR of 1.5 and BH of 45mPD of the respective “R(C)1” zone. The proposed development is considered not incompatible with the surrounding area which is predominately a rural area intended to retain the existing natural landscape and planned for low-rise and low-density residential development. CA/ASC, ArchSD has no adverse comment on the proposal from visual impact perspective.
- 11.6 The Site was originally planned for residential development and hence the trees now at the Site would inevitably be affected. Currently, approximately 10 nos. of existing trees on site are proposed to be felled but none of them are Registered OVTs or Trees of Particular Interest. Notwithstanding that, the applicant considered that on-site tree compensation for the proposed PT and RCP is not suitable in view of the operational need of the facilities. To mitigate the potential visual impact, the applicant has put in efforts in formulating a compatible design with the surrounding rural village settings through adoption of architectural features like glazed ceramic roof tiles and pitch roof of traditional village houses. Green and earth tone colours would also be adopted. In any case, compensation planting has been provided for TCNTE under its infrastructure works contracts. CTP/UD&L, PlanD has no adverse comment to the application from landscape planning perspective.
- 11.7 According to the applicant, the design, planning, construction and operation of the proposed PT and RCP will comply with prevailing environmental standards and guidelines. Adverse environmental impact from air, noise, sewerage, water supply and drainage aspects is not anticipated. Relevant government departments including DEP, DAFC, CE/HK&Is of DSD and CE/C of WSD have no adverse comment on the application.
- 11.8 Regarding the public comments on the application as summarised in paragraph 10, the departmental comments in paragraph 9 and planning assessments in paragraphs 11.1 to 11.7 above are relevant. As regard the commenter’s view on installation of solar panels on roof, the applicant advised that the space for installation of solar panel at roof is limited. Nevertheless, framed skylight will be installed at the roof to maximise the use of natural light to reduce energy consumption.

## **12. Planning Department’s Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **16.2.2028**, and after the said date, the permission shall cease to have effect unless before the said date, either the development



hereby permitted is commenced or this permission is renewed. The advisory clauses suggested for Members' reference are at **Appendix II**.

12.3 There is no strong reason to recommend rejection of the application.

**13. Decision Sought**

13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.

13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application form
<b>Appendix Ia</b>	Supporting Planning Statement and Replacement Pages
<b>Appendix Ib</b>	FI Received on 26.1.2024
<b>Appendix Ic</b>	FI Received on 5.2.2024
<b>Appendix II</b>	Recommended Advisory Clauses
<b>Appendix III</b>	Public Comment
<b>Drawing A-1</b>	Layout Plan
<b>Drawing A-2</b>	Indicative Floor Plans
<b>Drawing A-3</b>	Elevations
<b>Drawing A-4</b>	Landscape Master Plan
<b>Drawing A-5</b>	Photomontage
<b>Drawing A-6</b>	Site Selection Plan
<b>Drawing A-7</b>	Traffic Arrangement Plan for Refuse Collection Vehicle
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and 4b</b>	Site Photos

**PLANNING DEPARTMENT  
FEBRUARY 2024**